

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

ORIGINAL
RECEIVED

AUG 27 2001

In the Matter of)

Amendment of Section 73.622(b)
Table of Allotments,
Digital Television Broadcast Stations
(Charleston, South Carolina)

)
)
)
)
)
)
)

MM Docket No. _____
RM- _____

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**PETITION FOR RULE MAKING
TO AMEND THE DTV TABLE OF ALLOTMENTS**

Media General Communications, Inc. ("Media General"), licensee of WCBD-TV, Charleston, South Carolina, by its attorneys and pursuant to Sections 1.401 and 73.622(a) of the Commission's Rules,¹ hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(b), the DTV Table of Allotments, by substituting Channel 50 as WCBD-TV's paired DTV allocation for the transition period in lieu of Channel 59, as originally allotted.

Specifically, Media General proposes that the Commission amend the DTV Table of Allotments as follows:

	<u>Present</u>	<u>Proposed</u>
Charleston, SC	35, 40, *49, 52, 53, <u>59</u>	35, 40, *49, <u>50</u> , 52, ² 53

¹ 47 C.F.R. §§ 1.401, 73.622(a) (2000).

² On June 25, 2001, the Commission issued a Notice of Proposed Rule Making proposing the substitution of DTV Channel 47 for Channel 52 for use by WCSC-TV. Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Charleston, South

No. of Copies rec'd 074
DATE 8/27/01
NMB
01-242

WCBD-TV serves the Charleston DMA, which is ranked 103rd in the United States.³

WCBD-TV operates on NTSC Channel 2 and its paired DTV allocation is Channel 59.⁴ By this Petition for Rule Making, Media General seeks to amend the DTV Table of Allotments to enable WCBD-DT to commence its DTV operations on “core” Channel 50.

In conjunction with the DTV transition, the Commission has designated Channels 2-51 as the core television spectrum and will reclaim Channels 52-69 for new services at the end of the DTV transition.⁵ As a result, at the end of the DTV transition, Media General must relocate WCBD-TV’s DTV operations from out-of-core Channel 59 either to its NTSC Channel 2, which is undesirable due to the potential for impulse noise on DTV Channel 2, or to another core channel, which would require the construction of a new DTV transmission system at an additional cost of up to two million dollars.

The Commission already has “recognize[d] the additional burden placed on licensees with out-of-core DTV allotments.”⁶ Accordingly, “to the extent that in-core channels become available during the transition, we will attempt to further reduce the number of out-of-core allotments in any future amendments to the Table.”⁷ In accordance with this policy, the Commission has granted numerous petitions for rule making proposing amendments to the DTV Table of Allotments to

Carolina), *Notice of Proposed Rule Making*, MM Docket No. 01-128, RM 10133, 2001 FCC Lexis 3381 (rel. June 25, 2001). The instant proposal and the proposal in MM Docket No. 01-128 are technically compatible.

³ BROADCASTING & CABLE YEARBOOK 2001, B-171 (2001).

⁴ FCC File No. BPCDT-19991025ADT.

⁵ See Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59), *Notice of Proposed Rule Making*, GN Docket No. 01-74, 2001 FCC Lexis 718, ¶ 5 (rel. Mar. 28, 2001) (“*Television Channels 52-59*”).

⁶ Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order*, 13 FCC Rcd 7418, ¶ 55 (1998).

⁷ *Id.*

substitute core allotments for out-of-core allotments.⁸ In doing so, the Commission has explained that such channel substitutions serve the public interest by enabling stations to commence and continue operations on core channels after the end of the DTV transition, thereby avoiding the need to construct two sets of digital transmission facilities.⁹

Similarly, Media General's proposed channel substitution would permit WCBD-DT to commence DTV operations on a core channel and construct only one set of digital transmission facilities. Grant of this channel substitution therefore would permit WCBD-TV to reduce the costs of the DTV transition, which would be consistent with Commission rules and policies designed to assist smaller market stations by reducing the costs of the DTV transition.¹⁰ Accordingly, issuance of a Notice of Proposed Rule Making and grant of the proposed amendment would serve the public interest and achieve an efficient use of spectrum.

The proposed channel substitution also would advance the Commission's goal of recovering non-core spectrum for auction and reallocation as required by Section 309(j)(14) of the

⁸ See, e.g., *La Crosse, Wisconsin*, 16 FCC Rcd 4647 (2001); *Lexington, Kentucky*, 16 FCC Rcd 3118 (2001); *Thomasville, Georgia*, 15 FCC Rcd 18347 (2000); *Norfolk, Virginia*, 15 FCC Rcd 17146 (2000).

⁹ See, e.g., *La Crosse, Wisconsin*, 16 FCC Rcd 4647 at ¶ 2 ("We believe the public interest would be served by adopting the proposed substitution of DTV 41 for DTV channel 53 since it will permit station WKBT-TV to continue operation on a [sic] in-core channel at the end of the DTV transition period); *Lexington, Kentucky*, 16 FCC Rcd 3118 at ¶ 4 ("we believe the public interest would be served by substituting DTV channel 5 for DTV channel 59 since it will enable station WKYT-TV to operate on a core allotment and construct only one set of digital transmission facilities"); *Norfolk, Virginia*, 15 FCC Rcd 17146 at ¶ 2 ("We believe the public interest would be served by substituting DTV Channel 40 for DTV Channel 58 since it will enable station WTKR to continue to broadcast on its transitional in-core DTV channel after the transition period has ended).

¹⁰ See *Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service*, *Fifth Report and Order*, 12 FCC Rcd 12809, ¶ 78 (1997) (adopting the staggered DTV construction schedule, which will "help keep costs lower for smaller market stations").

Communications Act.¹¹ To date, the Commission has adopted licensing and service rules for the reallocation of Channels 60-69 (the “Upper 700 MHz Band”) to commercial and public safety services.¹² The Commission is engaged in extensive efforts to clear broadcast operations in the Upper 700 MHz Band and on adjacent Channel 59 prior to the end of the DTV transition to permit the unencumbered introduction of innovative new wireless services.¹³ The Commission also is engaged in a rule making proceeding regarding licensing and service rules for the reallocation of Channels 52-59.¹⁴ Accordingly, grant of the proposed channel substitution would facilitate and expedite the Commission’s efforts to reallocate non-core spectrum by permitting WCBD-DT to vacate Channel 59 prior to the end of the DTV transition.

As the attached Technical Statement of du Treil, Lundin & Rackley (“Technical Statement”) demonstrates, the proposed channel substitution complies with the Commission’s technical rules. WCBD-DT’s proposed service area encompasses its community of license as required by the Commission’s rules, and the proposed allotment parameters comply with the Commission’s *de minimis* interference standard.¹⁵ The proposed channel substitution also will not impact any co-

¹¹ 47 U.S.C. § 309(j)(14) (2000) (requiring the Commission to auction spectrum recaptured from broadcast television as a result of the DTV transition).

¹² See *Television Channels 52-59*, 2001 FCC Lexis 1718 at ¶ 6; Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission’s Rules, WT Docket No. 99-168, *Third Report and Order*, 16 FCC Rcd 2703 (2001) (“*Third Report and Order*”); Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission’s Rules, *Second Memorandum Opinion and Order*, 16 FCC Rcd 1239 (2001); Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission’s Rules, *Memorandum Opinion and Order and Further Notice of Proposed Rule Making*, 15 FCC Rcd 20845 (2000).

¹³ See *Third Report and Order*, 16 FCC Rcd 2703 at ¶ 1 (adopting “mechanisms and mak[ing] determinations intended to facilitate the clearing of the 740-806 MHz [Channels 59-69] band to allow for the introduction of new wireless services, and to promote the early transition of analog television licensees to digital television service”).

¹⁴ See *Television Channels 52-59*, 2001 FCC Lexis 1718 at ¶ 5.

¹⁵ 47 C.F.R. §73.623(c); see Technical Statement.

channel low power television and translator stations, including any that may be eligible for Class A status.¹⁶

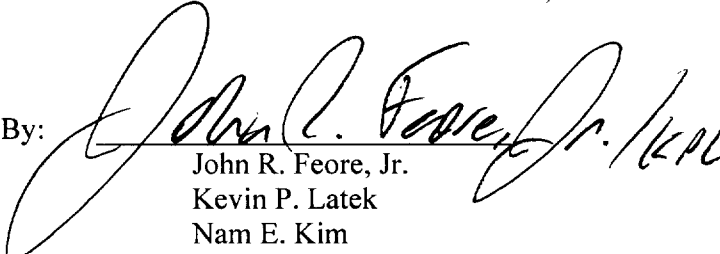
Media General certifies that upon grant of the requested amendment to the DTV Table of Allotments, it promptly will submit an application for a construction permit to operate WCBD-DT on Channel 50 in accordance with applicable Commission rules and policies governing construction and commencement of operation.

Accordingly, for the foregoing reasons, Media General respectfully requests that the Commission amend Section 73.622(b) of its Rules to substitute Channel 50 for Channel 59 for use by WCBD-DT in Charleston, South Carolina. Adoption of this proposal would serve the public interest by permitting WCBD-DT to commence operations on a core channel and facilitating the reallocation of non-core spectrum prior to the end of the DTV transition.

Respectfully submitted,

MEDIA GENERAL COMMUNICATIONS, INC.

By:


John R. Feore, Jr.
Kevin P. Latek
Nam E. Kim

Its Attorneys

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
(202) 776-2000

Dated: August 27, 2001

¹⁶ See Technical Statement.

ATTACHMENT

Technical Statement

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF A
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
DTV STATION WCBD-DT
FACILITY ID: 10587
CHARLESTON, SOUTH CAROLINA

Technical Summary

This technical narrative and associated exhibits have been prepared on behalf of Media General Communications, Inc. in support of a Petition for Rule Making to modify the DTV allotment of station WCBD-DT at Charleston, South Carolina, from channel 59 to channel 50.

The Federal Communications Commission (FCC) assigned UHF channel 59 as WCBD-TV's DTV allotment in the Memorandum, Opinion and Order (MO&O) concerning reconsideration of the 6th Report and Order in MM Docket No. 87-268.

The FCC assigned an ERP of 1000 kW-DA at an antenna radiation center height above average terrain (HAAT) of 594 meters. However, station WCBD-DT proposes to use UHF channel 50 for its DTV facility.

Station WCBD-DT wishes to operate on channel 50 in order to operate on an "in core" channel. By changing channels now, WCBD-DT will eliminate the need to purchase an entire second DTV transmission system at the end of the transition period. For this reason, the FCC is respectfully requested to change WCBD-TV's DTV allotment from channel 59 to channel 50.

DTV channel 50 can be substituted and allotted to Charleston, South Carolina in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates Latitude 32°56'24", Longitude 79°41'45". In addition, operation on DTV channel 50 appears possible with an effective radiated power (ERP) of up to 1000 kW utilizing a non-directional antenna and an antenna height above average

terrain (HAAT) of 561 meters. The proposed channel change is acceptable under the 2 percent criterion for *de minimis* impact applicable to DTV allotment modifications under Section 73.623(c)(2).

The proposed facilities (ERP 1000 kW/HAAT 561 meters) do not exceed the facilities which were allotted to station WCBD-DT. Thus, it is proposed to modify the Charleston DTV allotment by specifying a DTV allotment on channel 50 with the following specifications:

State & City	DTV Channel	DTV ERP (kW)	Antenna HAAT (m)
SC, Charleston	50	1000	561

It is also proposed to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as follows:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Charleston, SC	35,40,*49,52,53,59	35,40,*49,50,52,53

It is proposed to allot DTV channel 50 at Latitude 32°56'24", Longitude 79°41'45". It is proposed to operate with an antenna radiation center height above mean sea level (RCAMSL) of 565 meters, an antenna radiation center height above average terrain of (HAAT) of 561 meters and a non-directional ERP of 1000 kW.

Figure 1 is a separation study toward other NTSC and DTV allotments based on a 161 kilometer "buffer". Although the separation requirements are only applicable to new DTV allotments, they can be used as an indication of which stations have the potential of receiving interference from the proposed channel 50 DTV allotment.

Figure 2 provides a summary of interference and service for the proposed channel 50 allotment. Determination

of interference and service was based on the procedures outlined in OET Bulletin No. 69 and criteria contained in Sections 73.622 and 73.623 of the FCC's rules.¹ It is believed that the proposed channel 50 operation is in full compliance with the FCC's 2%/10% interference criteria.

Figure 3 is a map which depicts the 41 dBu (noise limited) and 48 dBu (city coverage) contours for the proposed channel 50 DTV operation. As shown, all of Charleston is located within the 48 dBu contour. Therefore, the proposed channel 50 DTV allotment will comply with the city coverage requirements contained in Section 73.625(a).

Studies indicate the proposed DTV channel 50 operation is involved in contour overlap with LPTV station WGSB-LP on channel 50 at Savannah. However, an interference study was prepared with respect to WGSB-LP based on the Longley-Rice propagation model and procedures outlined in OET-69 bulletin. Based on our studies the proposed WGSB-DT operation would not cause any interference to any persons within the WGSB-LP service area. Therefore it is believed the proposed WGSB-DT operation complies with the FCC interference criteria with respect to LPTV and Class A stations. Figure 4 is a printout of the OET-69 interference calculations with respect to WGSB-LP.

US-Canadian/US-Mexican TV Agreement Compliance

The proposed channel 50 operation will be located over 1000 kilometers from the closest point of the US-Canadian common border and the US-Mexican common border, therefore coordination with either country is not necessary.

¹ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

Conclusion

UHF DTV channel 50 can be substituted for the current DTV channel 59 allotment at Charleston, South Carolina in compliance with the FCC's rules concerning DTV allotment changes.


Jerome J. Manarchuck

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 34237
(941) 329-6000
JERRY@DLR.COM

August 23, 2001

Figure 1
Sheet 1 of 2

DTV - TV Separation Study

Job Title :WCBD-DT
Zone : 2
Channel 50 (686-692 MHz)

Separation Buffer 161 km
FCC TV DB Date : 08/20/01
Coordinates : 32-56-24 79-41-45

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
WRLK-T LIC	COLUMBIA SC BMLT	-20001023	*35(+) II	570 316	34-07-07 80-56-12	319.1 77.69	174.29	24.1/96.6 CLEAR
WMMP LIC	CHARLESTON SC BLCT	-19970627	36(+) II	3310 256	32-47-15 79-51-00	220.4 1.86	22.24	24.1/96.6 CLOSE
WFXB LIC	MYRTLE BEACH SC BLCT	-19970711	43(+) II	5000 463	34-11-19 79-11-00	18.7 49.84	146.44	24.1/96.6 CLEAR
ALLOC.	COLUMBIA SC	-	47(o) II	.000 0	34-01-56 80-57-22	316.4 71.91	168.51	24.1/96.6 CLEAR
960722 APP	COLUMBIA SC BPCT	-19960722	47(o) II	1500 174	34-02-39 80-59-52	315.8 75.56	172.16	24.1/96.6 CLEAR
WGSA-L LIC	SAVANNAH GA BLTTL	-19990413	50(o) II	146 0	32-04-21 81-04-45	233.7 -82.87	161.73	244.6 SHORT ¹
WRAZ LIC	RALEIGH NC BLCT	-19950925	50(+) II	5000 549	35-40-35 78-32-09	19.0 77.18	321.78	244.6 CLEAR
ALLOC.	ROCKINGHAM NC	-	53(o) II	.000 0	34-56-30 79-46-12	358.3 125.54	222.14	24.1/96.6 CLEAR
WFXG LIC	AUGUSTA GA BLCT	-19910603	54(-) II	2510 385	33-25-00 81-50-06	285.5 109.81	206.41	24.1/96.6 CLEAR
WACH LIC	COLUMBIA SC BLCT	-19890215	57(-) II	5000 193	34-02-39 80-59-52	315.8 75.56	172.16	24.1/96.6 CLEAR

¹ Interference calculations were prepared with respect to WGSA-LP, based on the procedures outlined in OET-69 Bulletin. Results of the studies indicate no prohibited interference is predicted.

DTV - DTV Separation Study

Job Title :WCBD-DT
Zone : 2
Channel 50 (686-692 MHz)

Separation Buffer 161 km

Coordinates : 32-56-24 79-41-45

Call Status	City St	FCC File No.	Channel Zone	ERP(kW) HAAT(m)	Latitude Longitude	Bear. True	Dist. (km)	Req. (km)
DWITV	CHARLESTON		49	1000	32-55-28	191.1	1.76	24.0/110.0
DTVALT	SC		II	564	79-41-58		22.24	CLEAR
WITV-D	CHARLESTON		*49	1000 DA	32-55-28	191.1	1.76	24.0/110.0
CP	SC BPEDT -20000428		II	521	79-41-58		22.24	CLEAR
DWAXN	KANNAPOLIS		50	50	35-15-41	340.1	274.52	223.7
DTVALT	NC		II	300	80-43-38		50.82	CLEAR
WAXN	KANNAPOLIS		50	50	35-15-41	340.1	274.52	223.7
CP	NC BPCDT -19990402		II	348	80-43-38		50.82	CLEAR
DWGNM	MACON		50	50	32-44-58	267.7	362.35	223.7
DTVALT	GA		II	185	83-33-35		138.65	CLEAR
WGNM	MACON		50	1000 DA	32-45-51	267.9	361.37	223.7
APP	GA BPCDT -19991029		II	208	83-33-32		137.67	CLEAR
DWFXG	AUGUSTA		51	65.1	33-25-00	285.5	206.40	24.0/110.0
DTVALT	GA		II	385	81-50-06		96.40	CLEAR
WFXG-D	AUGUSTA		51	1000 DA	33-25-00	285.5	206.41	24.0/110.0
CP	GA BPCDT -19991027		II	363	81-50-06		96.40	CLEAR

Figure 2

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
CHARLESTON, SOUTH CAROLINA

Interference and Service Summary

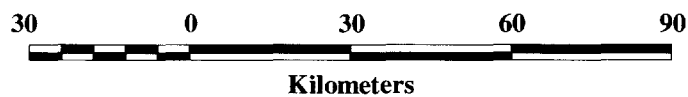
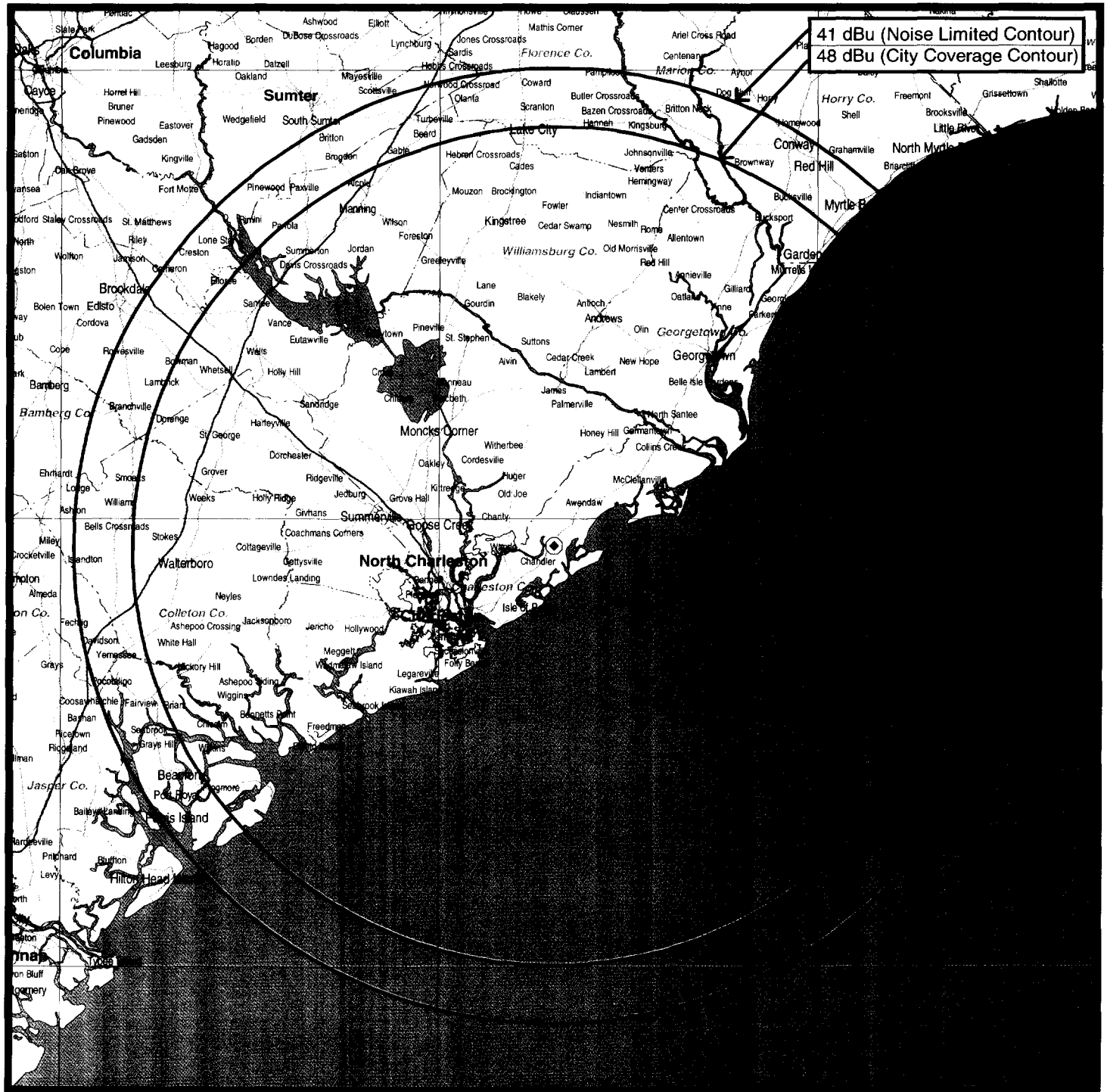
I. Interference Caused

Protected Station	FCC Service Population	Unique Interference Population
WMMP, NTSC Ch. 36 Charleston, SC	No interference caused	
WITV-DT, DTV Ch. 49 Charleston, SC Allotment CP (BPEDT-20000428ACL)	825,044 825,044	334 (0.04%) 77 (0.01%)
WGNM-DT, DTV Ch. 50 Macon, GA Allotment App. (BPCDT-19991029AFL)	253,939 253,939	0 (0.00%) 8 (0.00%)
WAXN-DT, DTV Ch. 50 Kannapolis, NC Allotment CP (BPCDT-19990402KF)	1,496,727 1,496,727	1,311 (0.09%) 3,483 (0.23%)
WRAZ, NTSC Ch. 50 Raleigh, NC	2,003,074	4,936 (0.25%)
WFXG-DT, DTV Ch. 51 Augusta, GA Allotment CP (BPCDT-19991027AAX)	No interference caused	

II. Service

	Population within
Within Noise-Limited Contour	846,447
Not Affected by Terrain Losses	846,447
Lost to NTSC Interference	0
Lost to DTV Interference	0
Total Service	846,447

Figure 3



PREDICTED COVERAGE CONTOURS

DTV STATION WCBD-DT
CHARLESTON, SOUTH CAROLINA
CH 50 1000 KW 561 M

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

Figure 4

OET Bulletin No. 69 Interference Calculations with respect to
Class A station WGSA-CA

Study Date: 20010823
 INTERFERENCE CAUSED
 CELL SIZE : 2.00
 Using offset in determining thresholds
 Per 6th Report & Order and FCC OET-69 Bulletin

WGSA-CA 32-04-21 081-04-45 50(Z) 146.000 kw 119 m DA 50.0 % 75.0 dBu
 SAVANNAH GA
 LIC BLTTL19990413JD
 1.00 1.00 0.98 0.95 0.91 0.87 0.82 0.76 0.71 0.66 0.63 0.61
 0.60 0.60 0.62 0.64 0.66 0.67 0.67 0.67 0.66 0.64 0.62 0.60
 0.60 0.61 0.63 0.66 0.71 0.76 0.82 0.87 0.91 0.95 0.98 1.00
 Ref Az: 330.0

Using DEFAULT vertical antenna pattern

	Area	Pop
within Noise Limited Contour	2062.573	230980
not affected by terrain losses	2062.573	230980

WCBT-T 32-56-24 079-41-45 50(N) 1000.000 kw 565 m 10.0 % 42.0 dBu
 CHARLESTON SC
 CP BPCDT19991025ADT
 Using DEFAULT vertical antenna pattern

D/U Baseline: 34.00

Interference	Area	Pop
0	0	0

WGSA-LP 32-02-48 081-04-42 50(Z) 60.000 kw 142 m DA 50.0 % 75.0 dBu
 SAVANNAH GA
 APP BPTTL20010112AAJ
 1.00 1.00 0.98 0.95 0.91 0.87 0.82 0.76 0.71 0.66 0.63 0.61
 0.60 0.60 0.62 0.64 0.66 0.67 0.67 0.67 0.66 0.64 0.62 0.60
 0.60 0.61 0.63 0.66 0.71 0.76 0.82 0.87 0.91 0.95 0.98 1.00
 Ref Az: 330.0

Using DEFAULT vertical antenna pattern

	Area	Pop
within Noise Limited Contour	1592.285	216369
not affected by terrain losses	1592.285	216369

WCBT-T 32-56-24 079-41-45 50(N) 1000.000 kw 565 m 10.0 % 42.0 dBu
 CHARLESTON SC
 CP BPCDT19991025ADT
 Using DEFAULT vertical antenna pattern

D/U Baseline: 34.00

Interference	Area	Pop
0	0	0